

1 AN ACT

2 relating to creating the criminal offense of misrepresenting a  
3 child as a family member at a port of entry.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 37, Penal Code, is amended by adding  
6 Section 37.082 to read as follows:

7 Sec. 37.082. MISREPRESENTING CHILD AS FAMILY MEMBER AT PORT  
8 OF ENTRY. (a) In this section:

9 (1) "Child" means a person younger than 18 years of  
10 age.

11 (2) "Family member" means a person who is related to  
12 another person by consanguinity or affinity.

13 (3) "Port of entry" means a place designated by  
14 executive order of the president of the United States, by order of  
15 the United States secretary of the treasury, or by act of the United  
16 States Congress at which a customs officer is authorized to enforce  
17 customs laws.

18 (b) A person commits an offense if the person, with intent  
19 to commit an offense under Section 20A.02, knowingly misrepresents  
20 a child as a family member of the person to a peace officer or  
21 federal special investigator at a port of entry.

22 (c) An offense under this section is a Class B misdemeanor.

23 (d) If conduct that constitutes an offense under this  
24 section also constitutes an offense under another law, the actor

1 may be prosecuted under this section, the other law, or both.

2 SECTION 2. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 888 was passed by the House on May 2, 2019, by the following vote: Yeas 94, Nays 46, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 888 on May 23, 2019, by the following vote: Yeas 100, Nays 43, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 888 was passed by the Senate, with amendments, on May 21, 2019, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor